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VIA ECF & EMAIL

Hon. Analisa Torres, U.S.D.J
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007
torres_nysdchambers@nysd.uscourts.gov

RE: *Thor Equities, LLC v. Factory Mutual Insurance Co.*, No. 1:20-cv-03380-AT
(S.D.N.Y.) – Submission of Recently Decided Authority Relevant to Briefing
on Motions for Judgment on the Pleadings

Dear Judge Torres:

We represent Plaintiff Thor Equities, LLC (“Thor”), in the above-referenced action. We write to submit for the Court’s consideration additional authority relevant to the pending cross-motions for judgment on the pleadings. On November 30, 2020, the District Court for Clark County, Nevada, issued a decision in the case *JGB Vegas Retail Lessee, LLC v. Starr Surplus Lines Insurance Co.*, No. A-20-816628-B. The decision is attached to this letter as Exhibit A. The decision denies a motion to dismiss based, in part, on a “Pollution and Contamination Exclusion” similar to the contamination exclusion at issue in the cross-motions for judgment on the pleadings. We offer the decision as further support for Thor’s Memorandum of Law in Support of Its Motion for Judgment on the Pleadings, filed August 17, 2020 (ECF No. 34), as well as Thor’s Consolidated Reply Memorandum of Law in Further Support of Its Motion for Partial Judgment on the Pleadings and in Opposition to Defendant’s Cross-Motion for Partial Judgment on the Pleadings, filed September 28, 2020 (ECF No. 45).

Thor thanks the Court for its time and attention to this matter.

Respectfully submitted,



Robin Cohen

cc: All Counsel of Record